

COUNTY OF ONSLOW

April 23, 2012

Request for FCC Narrowbanding Deadline Waiver

Federal Communications Commission
Public Safety and Homeland Security Bureau
445 12th St., S.W.
Washington, D.C. 20554

I. INTRODUCTION

Onslow County Emergency Communications ("the County"), pursuant to Section 1.925 of the Commission's rules and *Public Notice*, DA 11-1189 (released July 13, 2011), hereby requests the Commission waive Section 90.209(b)[5] of its rules to allow additional time for licensees participating in a new county-wide public safety communications network to operate on channels with a bandwidth of 25 kHz through May 31, 2014.

Onslow County in conjunction with the City of Jacksonville ("the city") is currently in the process of procuring and deploying a new 800-MHz P-25 trunked radio system that will be fully compliant with the Commission's narrowbanding rules. The new county-wide system will be operated and managed by Onslow County Emergency Communications and the City of Jacksonville Emergency Communications. For reasons discussed below, the new system will not be completed prior to January 1, 2013. Therefore, rather than narrowband the existing legacy system, the County requests a waiver to extend its deadline to May 31, 2014, at which point the new system will be complete. There are 34 public safety agencies and over 1200 public safety radio users currently using the call signs associated with narrowbanding.

II. BACKGROUND

Currently the City and a small portion of the County, are operating on a joint 800-MHz Smartnet Trunked Radio System, installed and maintained by Motorola Inc. For the County, only Onslow County EMS is completely operating on the 800-Mhz system with 2 police departments and 2 fire departments partially operating on the system. The rest of the County's public safety agencies are operating on a High Band VHF system. The City is completely operating on the 800-MHz system but has maintained the High Band VHF channels for mutual aid reasons. Most of the County's fire departments and rescue squads are completely volunteer agencies. Three of the fire

departments are a combination of paid and volunteer. In a review of current radio inventories it was determined that a majority of the mobile radios, portables radios and some of the base stations are not capable of being narrowbanded and would require replacement.

In 2007 the County began working with Motorola to expand the current 800 MHZ system to support all public safety agencies. To accomplish this, their proposal was to move to a P-25 Trunked System. Since the current 800 MHZ is a shared system between the City and the County, the County began working with the City and Motorola to develop a complete replacement system. In 2009 a proposal for a system was submitted by Motorola and was presented to City and County officials. Due to the magnitude and cost of the project, City and County officials determined that the project would need to be submitted for Bid. It was determined that the City and County would contract with a consultant firm to develop a Request for Proposals and assist in the procurement process. In 2010 RCC Consultants Inc., was contracted with to provide these services.

In November 2011 a Request for Proposals was released by the County for turn-key 800 MHZ P-25 Trunked Radio System. Bids have been received and a review of the bids is currently in progress with expected contract award in July 2012. All bids received identified that the project would be complete by May 31, 2012. Both the City and County have funding of the project approved in their Capital Improvement Plans.

III. WAIVER REQUEST

In DA 11-1189, released on July 13, 2011, the Commission provided guidance to licensees for the filing of waivers of the narrowbanding deadline. The Commission cited the requirements of FCC rules section 1.9251 which states that waivers must demonstrate that "(i) the underlying purpose of the rule(s) would not be served or would be frustrated by application to the instant case, and that a grant of the waiver would be in the public interest; or (ii) in view of unique or unusual factual circumstances of the instant case, application of the rule(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative." Relative to the requirements of FCC rules section 1.925, the Commission recommended the following content for waiver requests:

1. Steps already taken to plan for, initiate, and complete the transition to narrowband operations:
Onslow has developed criteria for a radio system that will support current county-wide operational needs as well as expansion for the future. This has been published and released through Requests for Proposals. Proposals are in the review process now.
2. System size and complexity:
All proposals include a five tower site system with redundant controls systems, and two communication centers. The system will support 42

public safety agencies and approximately 1700 public safety users. Proposals include three new sites, and depending on the vendor selected, construction of one to three new towers will be required.

3. Whether system equipment is narrowband-capable or must be replaced or upgraded:

Much of the current VHF radio inventory would require replacement to meet the narrowband requirements, but would be replaced in less than two years with equipment in another band. A significant portion of the radios to be replaced are owned by volunteer agencies, or their individual members. Conversion to narrowband by these agencies and individuals would require the purchase of new equipment for this short period of time.

4. Whether the licensee plans additional system upgrades or improvements in addition to converting to narrowband operation:

The new radio system will be an upgrade to 800 MHz P-25 Trunked system. Other current users are unable to convert to the existing 800 MHz trunked system, because it consists of a single site and provides inadequate coverage to support public safety communications throughout the county. Furthermore, coverage performance on the existing systems being replaced is marginal for some users, even where four VHF sites are implemented and simulcast technologies are employed. Performance deficiencies for the existing system would be further exacerbated by conversion to narrowband, requiring the implementation of addition sites or further reductions in coverage performance for public safety users.

5. Funding sources, including whether the licensee's budget requires government approval or a multi-year budget process:

Both the County and the City have the radio project as a part of their Capital Improvement Plans.

6. Whether the licensee's narrowbanding schedule is affected by neighboring systems due to interoperability relationship or other interdependencies

Our scheduled is not affected by any outside systems.

7. Plans to minimize the negative impact of extended wideband operations on co-channel and adjacent channel operations, including a description of the spectrum environment in the affected area

Onslow County encompasses a land area of 767 square miles and is located in the Coastal region of North Carolina, and bordered on the south by the Atlantic Ocean. We are not aware of any negative impact that extended wideband operation will have in our area. Even though the City of Jacksonville is classified as a metropolitan area the County itself is classified as rural and has no adjoining urban counties. The high band spectrum in this North Carolina locality (or neighboring areas) are not in critical shortage as it is in some metropolitan areas, so the additional 16

months is not expected to hamper the availability of spectrum to meet new demands in the currently occupied band.

8. If the licensee plans to migrate to a non-VHF/UHF band (e.g., 700 MHz or 800 MHz), whether it will relinquish VHF/UHF spectrum once it has migrated and the amount of spectrum to be relinquished

Migration to the new system will release some of our current VHF spectrum. The only remaining spectrum use in the narrowbanded VHF range will be for paging only.

Further, the Commission has requested the following:

1. What steps in the process have been or will be taken prior to January 1, 2013

It is anticipated that the following will be completed or in progress prior to January 31, 2013:

- *Contract awarded (projected July 2012)*
- *Contract Design Review Completed (projected September 2012)*
- *Site acquisition completed and Site permitting/development work in progress through April 2013*
- *FCC license request submitted (projected September 2012)*
- *Manufacturer staging and construction in progress through August 2013*
- *Proof of Performance Testing (coverage and operation) through October 2013*

2. Anticipated dates of commencement and completion of:

- a. Replacement or retuning of mobiles/portables
- b. Infrastructure replacement or returning

Anticipate that system install and cut-over completion by October 31, 2013, with removal of existing system completed by May 31, 2014.

A requirement that the County narrowband its existing system would needlessly tie-up technical resources and funding that could be otherwise applied towards the implementation of the new P25 radio system. It would be contrary to the public interest for Onslow County to expend the time and money necessary to narrowband legacy radio equipment, with that equipment due for decommissioning a year later. It would also be burdensome for volunteers to expend personal funds to purchase radios to support their efforts, when those radios will be incompatible with the new system and useful for well less than their expected lifetime. Allowing entities in Onslow County to continue wideband operations during the implementation of the new radio system would provide the most effective means to provide efficient communications in the public interest at that time.

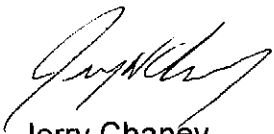
The County of Onslow, North Carolina, and its member public safety agencies respectfully request that the Commission grant a waiver of the requirement to attain an efficiency standard of 12.5 kHz through the narrowbanding for the existing 46 VHF radio

authorizations identified in Appendix B. The duration of this waiver is to the end date of the anticipated implementation schedule, May 31, 2014, for the licenses associated with the new system. That will permit an orderly transfer of the traffic load from those VHF stations to the new 800 MHz radio facilities. As the traffic is transferred, the radio authorizations for the underlying VHF channel-frequencies vacated will be cancelled through the appropriate FCC filings. Implementation project management of the new 800 MHz system will include tracking the prompt cancellation of vacated VHF channel-frequencies. The County of Onslow is aware of the high hurdle applied to a waiver of the Commission's rules and the requirement to clearly articulate the detailed considerations in Section 1.925 of the Commission's rules. We believe that this request complies with the submission details of the waiver process in that:

1. The underlying purpose of the narrowbanding rule would not be frustrated by waiver of this case. The waiver request does not extend the date for reduction of bandwidth to a lengthy or indefinite date, but asks to extend the requirement for a finite period of time to permit the establishment of a new interoperable countywide network. The basis for narrowband is to make additional spectrum available in the VHF band. This goal will be accomplished when the county public safety agencies move to the new system and cancel the VHF licenses that are no longer required.
2. The grant of the waiver will be in the public interest. The cost of narrowbanding is an expense that competes with the need for an improved, interoperable communications network at a time when the economy shortage of tax dollars limits the expansion of funding sources.
3. Unique and unusual factual circumstances indicate the application of the rule would be unduly burdensome to the County and contrary to the Public Good. The County had hoped that the new multi-agency interoperable system would be in operation prior to the January 1, 2013 narrowband transition date. As with many large, complex systems, the timing was delayed. To this is added the economic downturn, which has constrained state, county, and local governments from committing to large projects.

Granting of the waiver as described above for each of the 46 VHF radio authorizations (listed in Appendix B) would therefore be in the public interest.

Respectfully Submitted,



Jerry Chaney
Division Chief
Onslow County Emergency Communications
1180 Commons Drive North
Jacksonville, NC 28546

1. Appendix A – Public Safety Agencies in Onslow County

a. Police Departments:

Albert J. Ellis Airport
City of Jacksonville
Town of Holly Ridge
Town of North Topsail Beach
Town of Richlands
Town of Swansboro

b. Fire Departments:

Back Swamp Volunteer
Bear Creek Volunteer
Belgrade Volunteer
City of Jacksonville Paid
Half Moon Volunteer
Hargetts Cross Roads Volunteer
Haws Run Volunteer
Holly Ridge Paid/ Volunteer
Hubert Volunteer
Loco Volunteer
Nine Mile Volunteer
North Topsail Beach Paid/Volunteer
Piney Green Volunteer
Pumpkin Center Volunteer
Rhodestown Volunteer
Richlands Volunteer
Sneads Ferry Volunteer
Southwest Volunteer
Swansboro Paid/Volunteer
Turkey Creek Volunteer
Verona Volunteer
White Oak Volunteer

c. Rescue Squads

Haws Run Volunteer
Holly Ridge Volunteer
Jacksonville Volunteer
Nine Mile Volunteer
North Topsail Beach Volunteer
Richlands Volunteer
Sneads Ferry Volunteer
Swansboro Volunteer

d. Onslow County Emergency Medical Services

e. Onslow County Sheriff's Department

f. Onslow County Emergency Management

g. Onslow County Health Department

h. Onslow Memorial Hospital

i. Camp Lejeune Naval Regional Medical Center

Appendix 2 – Table of Call Signs

Licensee	FRN	Call Sign	Frequency (MHz)
Onslow, County of	0001917434	KG4703 WSL811	155.880
Onslow, County of	0001917434	WQDC741 WQDC967 WDQC974 WQDD267 WQDD272 WQDD280	155.280 155.340
Nine Mile Rescue Squad	0001917434	WRG591	155.280 155.340
Onslow, County of	0006269963	KCP538	154.815 155.115 155.250 155.565 155.880 155.970 158.970
Onslow, County of	0006269963	KDK733 KVF701 KVJ624 KWF815 KZR421 WNFH670 WPVU263 WPVU264 WPVU309 WPVU311 WPVU312 WPVU313 WPVU314 WPVU315 WPVU317 WPVU345 WPVU346 WPVU347 WPVU913 WPVU914 WPVU915 WPVU916 WPVU918 WPVU919	155.880

		WRG908	
Onslow, County of	0006269963	KIN418	154.710 154.830 154.875 155.190 155.250 155.490 155.565 155.970 158.970
Onslow, County of	0006269963	WNEB543	154.280 154.385
Onslow, County of	0006269963	WNEC790	153.905 159.015
Onslow, County of	0006269963	WPCI686	151.235 155.160 155.280 155.340 155.400
Onslow, County of	0006269963	WPKS323	151.370 159.300
Onslow, County of	0006269963	WPKZ801	153.980 158.820
Onslow, County of	0006269963	WPTS210	154.280
Onslow, County of	0006269963	WQDC980	155.250
Onslow, County of	0006269963	WSL836	155.280 155.340
Onslow, County of	0006269963	WXK595	155.085
The Town of North Topsail Beach	0001913573	WNUY382	154.830 155.730
Jacksonville, City of	0001913573	KNGV211	155.955
Jacksonville, City of	0001913573	WNFJ226	155.835
Jacksonville, City of	0001913573	WNZQ802	155.805
Jacksonville, City of	0001913573	WPNT851	154.47875